REMARKS

Claims 1, 2, 4-8 and 13 have been amended. Claims 9-12 have been canceled. Thus, claims 1-8 and 13-16 are now pending in the present application. Claims 1 and 13 are now dependent on claim 7.

Support for the introduction of PEG 4000 into claim 7 may be found in the specification at page 11, lines 7-8, and at page 25, Table 1 (samples 3 and 4). As evidenced by the enclosed page 867 from Nishio et al. (*The Journal of Antibiotics*, **42**:852-867, 1989), the "Solbase" referred to in sample 3 is a 1:1 mixture of PEG 400 and PEG 4000. The inclusion of PEG 600 along with PEG 400 and PEG 4000 is implicit in the description of PEG 600 in the paragraph bridging pages 10 and 11, where it is stated that PEG 600 "is solid extraorally for easy loading thereof into administering tools, while it is liquidized intraorally and improved in its soaking properties for its administering easily to teeth." Thus, one skilled in the art would readily recognize from Applicants' specification that PEG 600 provides a unique benefit such that the skilled artisan would include it with the other forms of PEG recited in the claims. Accordingly, no new matter has been added by the Amendment to Claim 7.

Response to and Traversal of Restriction Requirement

In the Restriction Requirement mailed **May 12, 2009**, the Examiner restricted the pending claims into four Groups:

I. Claims 7-8, drawn to a treatment composition comprising polyethylene glycols having three polymerization degrees and propylene glycol.

II. Claims 9-10, drawn to a washing treatment solution comprising EDTA.

III. Claims 11-12, drawn to a hemostatic treatment solution comprising sodium alginate and zinc oxide

IV. Claims 1-6 and 13-16, drawn to a bacterial disease treatment method and a kit, comprising treatment composition of Group I, washing treatment solution of Group II, and hemostatic treatment solution of Group III.

In response to the Restriction Requirement, Applicants hereby elect Group I (Claims 7-8), with traverse. Claims 7-8 are readable upon the elected Group. The claims of Groups II and III have been canceled solely as being directed to a non-elected invention.

The Examiner alleged that Inventions I-IV do not relate to a single general inventive concept under PCT Rule 13.1, because under PCT Rule 13.2, they lack the same or

corresponding special technical features. As the present application is the national stage of an International Application, the unity of invention standard set forth in 37 CFR 1.499 and discussed in MPEP1893.03(d). This standard allows a single application to relate to "those inventions which are so linked as to form a single general inventive concept." A "single general inventive concept" is further defined as inventions that share "a special technical feature."

With regard to Inventions I and IV, the Examiner stated that both require the special technical feature of PEGs having three polymerization degrees and propylene glycol. Applicants agree with this statement. Applying the Examiner's own assertion to the foregoing standard, it is clear that Inventions I and IV relate to a single general inventive concept, and the restriction requirement between groups I and IV should be withdrawn.

Applicants' agreement with the Examiner's assertion that Inventions I and IV share a special technical feature is made stronger based on the amendment of Claims 1 and 13 to depend from Claim 7. As a result of this dependency, Claims 1, 7 and 13 all share the same special technical feature, namely a treatment composition for bacterial intraoral disease comprising an antibacterial agent having an antibacterial property against intraoral bacteria and a base containing polyethylene glycol 400, polyethylene glycol 600, polyethylene glycol 4000, and propylene glycol. Thus, all of the claims in Groups I and IV do relate to a single general inventive concept, and reconsideration and withdrawal of the Restriction Requirement with respect to Inventions I and IV are respectfully requested.

In any event, all of the Claims of Group IV are ultimately dependent on at least one of the elected claims. Accordingly, should the Examiner elect to maintain the restriction requirement, the claims of Group IV will be eligible for rejoinder upon allowance of the elected Group I claims.

No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including

subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

CONCLUSION

In light of the amendments, traversal and election made herein, examination of the claims in both Groups I and IV is respectfully requested. Should the Examiner identify any impediments to the prompt examination of the full scope of these claims, the Examiner is invited to contact the undersigned at the telephone number appearing below.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: 6/10/09

By: _____

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